

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

NOV 26 1990

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed

Map filed NOV 26 1990

The applicant Les or Beverly Matson

Main Street Midas

of

via Golconda

Street and No. or P.O. Box No.

City or Town

Nevada 89414

State and Zip Code No.

hereby make^s application for permission to change the

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under

Permit 49451

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

- The source of water is Underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.01 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi-Municipal and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Quasi-Municipal and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T39N, R46E, MDB&M.,
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the NW corner of said Section 33 bears N 37° 57' 00" W,
distance to a section corner. If on unsurveyed land, it should be stated.
4500.00 feet.
- The existing permitted point of diversion is located within SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T39N, R46E,
If point of diversion is not changed, do not answer.
MDB&M., at a point from which the NE corner of said Section 20 bears N 0° 21'
29" E, 1801.46 feet.
- Proposed place of use SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, W $\frac{1}{2}$ W $\frac{1}{2}$ Section 28, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, all
in T39N, R46E, MDB&M.
- Existing place of use A portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, A portion of SW $\frac{1}{4}$ NW $\frac{1}{4}$ of
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
Section 21, T39N, R46E, MDB&M., being Lots 13 through 18, Block N, Midas
manner of use of irrigation permit, describe acreage to be removed from irrigation.
(Gold Circle), Nevada.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Well, Pipelines and Storage Tank
State manner in which water is to be diverted, i.e. diversion structure,
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$40,000
- Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Bar 350 gals/day, Restaurant 1000 gals/day, 14 RV Spaces 700 gals/day, 2 Cabins
200 gals/day equaling 2250 gals/day. 2250 gals/day x 365 days/yr equals 821,250
gals/yr. Fire Protection 10,000 gals/yr. The total annual consumptive use is
831,250 gals/yr.

By HIGH DESERT Engineering, Agent
s/Robert E. Morley
Robert E. Morley
515 South Fifth Street
Elko, Nevada 89801

Compared bc/ bc

Protested 3/20/91 by: The Midas Water Cooperative

Pro. wdr. 5-30-91

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 49451 is issued subject to the terms and conditions imposed in said Permit 49451 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.01 cubic feet per second, but not to exceed 0.83 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before February 28, 1992

Proof of completion of work shall be filed before March 28, 1992

Application of water to beneficial use shall be made on or before February 28, 1993

Proof of the application of water to beneficial use shall be filed on or before March 28, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, RE MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 14th day of August

A.D. 19 91

Michael Turnipseed, P.E.
 State Engineer

WITHDRAWN BY APPLICANT MAR 25 1999

Michael Turnipseed, P.E. STATE ENGINEER